

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL BUXBAUM,

Plaintiff,

-against-

PAYWARD, INC., *doing business as Kraken*,

Defendant.

25-CV-361 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brought this action *pro se*. By order dated January 17, 2025, the Court directed Plaintiff, within 30 days, to either pay the \$405.00 in fees required to bring a civil action in this court or submit an application to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees.<sup>1</sup> Because Plaintiff did not comply with the Court’s order, by order dated March 12, 2025, and entered on the docket on March 14, 2025, the Court dismissed the action. The Clerk of Court entered judgment on March 14, 2025.

On May 1, 2025, the court received a money order from Plaintiff in the amount of \$405.00. That same day, the Court issued an order directing the Clerk of Court to return the money order to Plaintiff.<sup>2</sup> However, the clerk’s office inadvertently processed the money order.

The Clerk of Court is directed to issue a refund to Plaintiff in the amount of \$405.00. This action remains closed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

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<sup>1</sup> This action is one of approximately 50 actions Plaintiff filed in this court without paying the filing fees or submitting an IFP application over the past several months.

<sup>2</sup> In that order, the Court advised Plaintiff that if he wishes to pursue his claims, he may do so by filing a new civil action and paying the filing fees within the prescribed time.

*Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: May 5, 2025  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge